



DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration
Rockville MD, 20857

NOV 19 1999 12:20 PM NOV 23 1999

The Honorable Richard J. Durbin
United States Senate
Washington, D.C. 20510-1304

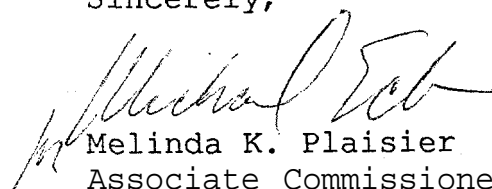
Dear Senator Durbin:

Thank you for your letter of October 21, 1999, concerning the Food and Drug Administration's (the Agency) proposed rule on refrigeration and safe handling labeling of shell eggs, which was published in the Federal Register of July 6, 1999. You wrote in "... support (of) the use of a warning label on shell, egg cartons that educates consumers about the dangers of eating raw or undercooked eggs and gives safe handling instructions." You further support the labeling language that was proposed in the July proposal.

We appreciate your thoughtful comments on our proposal. Although the comment period for this regulatory proposal closed on September 20, 1999, your comments will be forwarded to the docket for this issue. The Agency does try, as time and resources permit, to accommodate comments received after the comment period.

Please contact us if we may be of any further assistance in this matter.

Sincerely,


Melinda K. Plaisier
Associate Commissioner
for Legislation

cc: Dockets Management Branch
(Docket No. 98N-1230)

96P-0418

E
C 789 / AN

RICHARD J. DURBIN
ILLINOIS

COMMITTEE ON THE JUDICIARY

COMMITTEE ON
GOVERNMENTAL AFFAIRS

COMMITTEE ON THE BUDGET

United States Senate
Washington, DC 20510-1304

364 RUSSELL SENATE OFFICE BLDG
WASHINGTON, DC 20510-1304
(202) 224-2152
TTY (202) 224-8180

230 SOUTH DEARBORN 38TH FL
CHICAGO, IL 60604
13121353-4952

525 SOUTH EIGHTH STREET
SPRINGFIELD, IL 62703
(217) 492-4062

SUITE 414
MERCANTILE BANK OF SOUTHERN ILLINOIS
123 SOUTH TENTH STREET
MT. VERNON, IL 62864
(618) 244-7441

October 21, 1999

Donna E. Shalala
Secretary of Health and Human Services
Department of Health and Human Services
200 Independence Avenue, S. W.
Room 615-F
Washington, DC 20201

Donna
Dear Madam Secretary:

I have been following the President's Food Safety Initiative as well as your position on shell egg safety. As I understand it, recommendations on proposed language for warning labels that will appear on raw shell egg cartons have been finalized. The final language will be announced on November 1st. In July, your published recommendation was:

"SAFE HANDLING INSTRUCTIONS: Eggs may contain harmful bacteria known to cause serious illness, especially in children, the elderly and persons with weakened immune systems. For your protection, keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly."

Although there may be representations that the industry is solving the matter of contaminated eggs on its own, it is also true that the root causes of the growth in food-borne illness in eggs are too difficult for the industry alone to manage. According to the Centers for Disease Control, Salmonella Enteritidis (SE) caused about 300,000 illnesses in 1997, resulting in between 115 and 230 deaths. According to the General Accounting Office, between 1985 and 1998, 81.7 percent of SF outbreaks with an identified cause were associated with eggs.

Until more definitive results are available, I support the use of a warning label on shell egg cartons that educates consumers about the dangers of eating raw or undercooked eggs and gives safe handling instructions. I hope that you will preserve the published language that was released in July.

Respectfully,



Richard Durbin

CROSS FILE SHEET

File Number:

98N-1230/ C 789

See File Number:

97P-0197/ C 790

96P-0418/ C 789